

CONFIDENTIAL



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

07/21/142 06/13/90 PARSATT

124-179

NIXON & VANDERHUYE
2200 CLARENDON BLVD., 14TH FL.
ARLINGTON, VA 22201

CARDONE, N

1103-1102

221

US PATENT

03/14/91

☒ This application has been examined ☐ Responsive to communication filed on _____ ☐ This action is made final.

A shortened statutory period for response to this action is set to expire 6 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input checked="" type="checkbox"/> Notice of Informal Patent Application, Form PTO-152 |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> _____ |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-17 are pending in the application.
Of the above, claims _____ are withdrawn from consideration.
2. ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-6, 8-17 are rejected.
5. ☒ Claims 7 are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other

FOREIGN GOVERNMENT
INFORMATION

CONFIDENTIAL

CONFIDENTIAL

- 1 -

1. Acknowledgement is made of applicant's claim for priority under 35 U.S.C. 119 based upon an application filed in Great Britain on May 19, 1989. A claim for priority under 35 U.S.C. 119 cannot be based on said application, since the United States application was filed more than twelve months thereafter.
2. The drawings are objected to because Figures 1 and 2 should be designated by a legend such as "Prior Art" in order to clarify what is applicants invention. See MPEP 608.02(g). Correction is required.
3. Applicant is required to submit a proposed drawing correction in response to this Office action. However, correction of the noted defect can be deferred until the application is allowed by the examiner.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:
- "A person shall be entitled to a patent unless -
5. (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent."
6. Claims 1-6 and 8-17 rejected under 35 U.S.C. § 102 (e) as being anticipated by Puckett.

Puckett discloses a segmented sabot (column 2, line 67-column 3, line 2) having arrays of fibers which radiate from the channel to the rearward end. Note also the angles of the forward and rearward faces of the grooves in Figure 2. Since the material make up is essentially the same as that disclosed by the applicants, the various ratios between the

CONFIDENTIAL

DECLASSIFIED BY 60320
CONFIDENTIAL

Serial Number 544, 142
Art Unit 221

-2-


principle directions are inherently the same. A suggestion to overcome the rejection would be to claim "the first principle direction radiates outwardly from the channel towards the rearward end of the projectile.

4 Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4 The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

C Nussbaum, Bisping et al and Schleicher et al disclose sabots having anisotropic properties. Von Gerlach discloses in column 3, lines 10-13, the use of anisotropic materials for a segmented sabot.

4 An inquiry concerning this communication should be directed to Michael Carone at telephone number 703-308-0508.


Carone/03-12-91

DECLASSIFIED BY 60320
CONFIDENTIAL